

Kon kibl

A° 1919.



N° 32.

PUBLICATIE-BLAD.

BESCHIKKING van den 9den Mei 1919, No. 588, bepalende de opneming in het Publicatieblad van de op het eiland St. Martin (N. G.) bestaande notificatie van 1862 No. 1 en plaatselijke keuren.

DE WAARNEMENDE GOUVERNEUR van Curaçao,

Heeft goedgevonden te bepalen:

dat de op het eiland St. Martin (N. G.) bestaande notificatie van 1 December 1862, N° 1, en de op 10 Februari 1919 aldaar bestaande plaatselijke keuren, nevens afschrift dezer beschikking in het Publicatieblad zullen worden opgenomen.

De Gouverneur voornoemd,

J. B. GORSIRA.

Uitgegeven den 20n. Mei 1919.
De Gouvernements-Secretaris,
J. F. HAAYEN.

A^o 1862.

NOTIFICATIE.

N^o 1.

DE GEZAGHEBBER van St. Martin (N. G.),

In overweging genomen hebbende, dat het misbruik, dat nu en dan van de publiekewellen in het Nederlandsch gedeelte van dit eiland wordt gemaakt, eenige bepalingen vereischt, teneinde zoo veel mogelijk te zorgen, dat het water in deze natuurlijke bronnen in zuiveren staat voor een ieder beschikbaar blijve;

De adviserende Commissie gehoord;

Brengt ter kennis van het algemeen:

1^o Dat het voortaan aan niemand veroorloofd zal zijn:

- a. Om in de publieke wellen of op een geringer afstand dan 25 voeten van dezelve, kleedingstukken of andere voorwerpen te wasschen of te spoelen; zoomede om zich daarin, of binnen de opgenoemde grenzen, te baden of te reinigen, en in het algemeen om het water in zoodanige wellen op de eene of andere wijze onzuiver te maken.
- b. Om vee te drenken aan publieke wellen, welke daarvan door het bestuur bij openbare bekendmaking zijn of zullen worden uitgesloten.

2^o Dat overtreding dier bepalingen zal worden gestraft met eene gevangenzetting van niet meer dan vier dagen en eene geldboete niet te boven gaande vier gulden, gezamenlijk of afzonderlijk.

Gearresteerd te Philipsburg, St. Martin, den 1sten December 1862.

W. H. J. VAN IDSINGA.

LOCAL ENACTMENT *by which the existing regulations regarding the pasturing and impounding of cattle are revised.*

Art. 1.

The pasturing of cattle in public lands is prohibited, unless by cause of a written permission, granted for that purpose to the owners of such cattle by the Local Government.

Each one having obtained such a permission must brand or mark all his cattle, pasturing on public lands, with a mark or brand made known to the Chief of the Police.

Art. 2.

In the town and in each of the former districts of Princes Quarter, Cul-de-Sac and Cole Bay, if somebody can be found capable to take charge of it, shall be established a properly enclosed poundyard in a conspicuous place along the public road.

The Local Government shall in the usual manner make known the place where those poundyards are established.

Art. 3.

The poundmasters shall be appointed by the Head of the Local Government and are responsible to the Chief of the Police.

Art. 4.

Each time that cattle are brought to be impounded, the poundmaster concerned shall deliver to the carrier a receipt, mentioning the date, the kind and number of cattle impounded.

Art. 5.

Everyone who has impounded or sent to be impounded any cattle is obliged to send to the Head of the Local Government within twice twenty-four hours, the receipt mentioned in the preceding articles.

Art. 6.

Cattle, found pasturing on the public roads or lands con-

trary to the stipulations contained in art. 1, shall be taken up by the police and impounded in the nearest located poundyard.

In like manner shall be acted with cattle which, although fastened upon private grounds, yet by the length of ropes or other fastenings come in the public lands or roads.

Are not to be considered as pasturing upon the public roads, cattle being driven to and from the pasture grounds, or to and from the public springs, or crossing the road from one part of an estate to the other.

Art. 7.

Landed proprietors and tenants may cause to be impounded in the nearest located poundyard, cattle found pasturing or loose upon their lands or in their yards without their permission.

They are however bound to have such cattle impounded within the time of eighteen hours under penalty of a fine of three guilders.

Art. 8.

Impounded cattle may be demanded by the rightful claimant as long as the cattle are in the poundyard, and they shall be surrendered on the payment of poundage and feeding fees and the expenses resulting from the application of articles 6 and 10, and after satisfactory proof of claimants right to the cattle has been given.

Art. 9.

The poundmasters shall give a receipt for the poundage and feeding fees and other disbursements received, which receipt shall be forwarded by the claimant to the Secretary of the Court of Policy within twice 24 hours.

Art. 10.

The poundmasters must cause the cattle not claimed to be removed to the poundyard in Philipsburg on the third day after their impounding. They acquaint the Chief of Police thereof at the same time sending him the documents relative to the matter.

Three days after the removal of the abovementioned cattle, and the sixth day after the impounding of cattle which have

been directly impounded in the poundyard in Philipsburg, and not claimed, they shall be publicly sold by order of the Chief of Police, each animal having previously been branded or marked with a durable mark as in evidence that it was sold by public authority.

Public notice of the sale is given by the Chief of Police in Philipsburg as well as in the country on the fourth day after the animals have been impounded.

Art. 11.

The proceeds of cattle, sold according to the foregoing article, after deduction of the feeding and poundage fees and the expense resulting from the application of the above-mentioned article, shall be deposited by the Chief of Police in the consignment chest, there to remain during one year and six weeks at the disposal of the rightful claimant, after which time the amount is to be paid over in the Colonial chest.

Art. 12.

Each poundmaster shall be obliged to keep in a register furnished to him by the Chief of Police, the name of the person who impounds cattle, the marks or brands and the colour of each cattle impounded, the fees and the expenses recovered and the name of the person to whom it has been delivered.

To the Chief of Police, they must furnish every three months a statement of all their actions regarding this matter and pay over to the Poormaster the amount due to the General poor.

The Chief of Police sends every three months to the Head of the Local Government duplicates or properly authenticated copies of the abovementioned statements, he accounts at the same time for the amounts belonging to third parties proceeding from the poundyard in Philipsburg.

Art. 13.

The feedingfees for every day of twenty four hours, parts thereof counted for a whole, are as follows:

| | |
|---|--------|
| For a horse, mule, ass, or horned cattle, also for all weaned colts or calves | f 0.50 |
| For a hog, goat or sheep or their weaned young.. | 0.20 |
| The sucking young are free. | |

These fees are entirely to the benefit of him who is charged

with the poundyard and the caring of the animals, for which he is obliged to feed and water the impounded cattle.

The poundage fees are for every animal impounded, sucking young which follow the mother not included:

| | |
|---|------|
| For a horse, mule, ass, or horned cattle..... f | 1.— |
| For a goat or hog..... | 0.50 |
| For a sheep..... | 0.20 |

Half of the poundage fees shall be for the poundmaster, who for and in consideration of it is bound to keep and maintain a poundyard in good condition.

The other half shall be for the benefit of the General Poor.

Art. 14.

If cattle are found loose during the night on the public road, the owners will be punished whether the said cattle are impounded or not, with a fine not exceeding four guilders, unless it be proved satisfactorily that such cattle have been in the road on account of circumstances beyond the owner's control.

If cattle are found either by day or night tied on the public road or trenches belonging thereto or tied on private property that they may reach the public road or trenches belonging thereto the owners thereof will be punished with a fine of four guilders.

If however at any time hogs are found in the public road the owners will be punished with a fine of three guilders.

Art. 15.

Those who may have decoyed or driven cattle belonging to another from the roads or other lands of which they have not the use, on their own lands, shall, in case there be no terms for a prosecution for theft or attempt at such, be punished with a fine of twenty five guilders and imprisonment of four days, jointly or separately, besides paying the poundage and feeding fees and further expenses according to article 10.

Art. 16.

The act of preventing, opposing or impeding the catching of cattle to be impounded and the conducting of the same to a poundyard shall be punished with a fine of twenty five guilders, regardless of the circumstance whether such prevention, opposition or impediment has been offered by or in behalf of the owner, and provided there exists no ground for

prosecution on account of violent and forcible resistance, offered to public functionaries in the discharge of their functions.

Art. 17.

Contravention of the stipulations mentioned in articles 4, 5 and 9 will be punished with a fine not exceeding five guilders.

Art. 18.

By public roads are understood in the sense of this ordinance the streets, alleys and places destined for public circulation within Philipsburg, and the roads in the outer districts of this island.

The piece of land bordering the saltpond to the north of the well at the west end of Philipsburg, until near „The Cottage” is not considered as a public road.

However, if cattle are found tied at this place the owners thereof will be punished with a fine of three guilders.

Art. 19.

Wherever in this ordinance is mentioned „cattle” the same signifies horses, animals of burden, draught, large or small cattle.

Art. 20.

All former regulations, regarding the pasturing and impounding of cattle are abolished as soon as this enactment comes into operation.

This done by the Court of Policy in its meeting of the 2nd. of August 1800 and ninety two.

The President,

OLIVIER.

The acting Recorder,

E. HODGE.

In accordance with articles 130 and 131 of the Regulation on the Administration of the Government in the Colony of

Curaçao, this Local Ordinance has been submitted to the sanction of His Excellency the Governor.

The Lieutenant-Governor,

OLIVIER.

Goedgekeurd bij Gouvernements-beschikking van den 20n. October 1892 N^o 657.

De Gouverneur van Curaçao,

BARGE.

And has this been published, where it ought to be, on the twenty fourth of December 1890 and ninety two.

The Gezaghebber,

OLIVIER.

LOCAL ENACTMENT *for the revision and amplification of the Local Enactment of the 2nd. of August 1892, containing regulations regarding the pasturing and impounding of cattle.*

Art. 1.

Between the second and last paragraph of art. 6 of the Local Enactment of the 2nd. of August 1892 containing regulations regarding the pasturing and impounding of cattle shall be inserted a new paragraph, reading thus:

For the execution of the above, the police can procure assistance, for which compensation will be granted, the said compensation not exceeding, however, the amount of the poundage-fees due on the animals, for the catching and impounding of which assistance has been procured; except in regard to hogs, when a maximum of one guilder may be granted for the assistance above referred to.

Art. 2.

Art. 18 of the said Enactment shall read thus:

By public roads are understood in the sense of this ordinance the streets, alleys and places destined for public circulation within Philipsburg, and the roads in the outer districts of this island, and also the piece of land bordering the salt-pound to the north of the well at the west end of Philipsburg until near The Cottage.

Thus done by the Court of Policy at Saint Martin Netherland part, in its meeting of the 25th. of October 1800 and ninety seven.

The President,

J. MOLLER.

The acting Recorder,

E. HODGE.

In accordance with articles 130 and 131 of the Regulations on the Administration of the Government in the Colony of Curaçao this Local Enactment has been submitted to the sanction of His Excellency the Governor.

The Lieutenant-Governor,

J. MOLLER.

Bekrachtigd bij Gouvernements-beschikking dd. 11 Januari 1897, N^o 21.

De Gouverneur van Curaçao,

BARGE.

LOCAL ORDINANCE *containing measures for the preservation of public peace, order and safety.*

Art. 1.

It is prohibited to throw stones or other missiles as well as liquids which could injure persons or soil their clothes when striking them

- 1^o at, or over or from, or to all public places;
- 2^o without permission or against the will of the proprietor, lessee or occupant of a private place to or over that private place from another private place not separated from the first by any public place.

It is prohibited to fight in the public streets or roads, to scream, to make use of obscene or indecent language, to wilfully climb in trees or on fences, walls or enclosures or to hold on to carriages.

Art. 2.

It is prohibited to excite uproar or neighbour's noise and in general to do anything whereby any hinderance or injury might be occasioned to the passers by or might serve to prejudice public peace and order.

Art. 3.

Every crowd and in general every assembly of persons in public places which is not clearly destitute of any danger to the public peace or safety is prohibited.

On the first warning of the police every one who participates in the same shall be bound to refrain and to immediately retire.

Art. 4.

When the crowd or assembly is an armed one the punishment, threatened against the contravention of the preceding article shall be tripled with regard to those, who being armed, are participants, and doubled with regard to those who are such, being unarmed, with exception, however, as far as regards the unarmed, of the case in which the latter were evidently unacquainted with the presence of an arm.

Art. 5.

The crowd or assembly of persons is an armed one:

- 1st. when two of the participants are armed, i. e. provided with visible or concealed arms;
- 2nd. when only one of them is armed and is not immediately caused by the others to retire.

Among arms are understood all cutting, sharp pointed and bruising tools and instruments, including stones and sticks, as provided for by art. 69 of the Penal Code.

Art. 6.

Contravention of the stipulations of this enactment shall be punished with an imprisonment of from three days to one month and a fine of from five to twenty five guilders together or separately.

The above mentioned punishments are not applicable when the consequences arising from the non-observance of this enactment are of such a nature, that according to the penal law now in force, severer punishments ought to be applied.

Art. 7.

The articles which have served for the commission of the actions prohibited by art. 1 and 5 may be confiscated by the judge, who may order by the sentence that they shall be made unfit for use or destroyed.

Art. 8.

The stipulations of art. 2 of the law containing penalties against verbal injuries, neighbour's noise and violation of domicile (Publication for Saint Martin dated 27 April 1837, N^o 54) are hereby abrogated.

Art. 9.

This enactment comes into operation on the day of its publication.

And as in the opinion of the Court of Policy this is an urgent case, the Ordinance shall in expectation of the decision of the Governor, be published in the meantime.

Thus done by the Court of Policy at Philipsburg Saint

Martin in its meeting of the second of December 1800 and ninety two.

The President,

OLIVIER.

The acting Recorder,

E. HODGE.

And has this been published, where it ought to be, on the third of December 1800 and ninety-two.

The Lieutenant-Governor,

OLIVIER.

In accordance with articles 130 and 132, second paragraph of the Regulations on the Administration of the Government in the Colony of Curaçao this Local Ordinance has been submitted to the sanction of His Excellency the Governor.

The Lieutenant-Governor,

OLIVIER.

Goedgekeurd bij Gouvernements-beschikking dd. 24 December 1892 N^o 781.

De Gouverneur van Curaçao,

BARGE.

Bovenstaande goedkeuring gepubliceerd op heden den tienden Maart 1893.

De Gezaghebber van St. Martin (N. G.),

OLIVIER.

KEUR ten einde overeenstemming te brengen tusschen bestaande plaatselijke keuren en daarmede gelijk te stellen wettelijke regelingen voor het eiland Sint Martin N. G. en het bij Koninklijk besluit van den 4n. October 1913, No. 61 (P. B. No. 67) vastgestelde Wetboek van Strafrecht voor de Kolonie Curaçao.

Art. I.

Bij het in werking treden van het bij Koninklijk besluit van den 4n. October 1913, N^o 61 (P. B. N^o 67) vastgestelde Wetboek van Strafrecht voor de Kolonie Curaçao, vervallen alle strafbepalingen alsmede alle bepalingen omtrent onderwerpen in de eerste acht titels van het eerste boek van gemeld Wetboek behandeld, welke voorkomen in bestaande plaatselijke keuren en daarmede gelijk te stellen wettelijke regelingen voor het eiland Sint Martin N. G. voor zoover bedoelde strafbepalingen niet bij deze keur gehandhaafd.

Art. II.

Blijven voor zoover gemeld Wetboek er niet in voorziet, van kracht de strafbepalingen welke voorkomen in:

- 1^o De Notificatie van het jaar 1862 N^o 1.
- 2^o The Local enactment of the 2nd. of August 1892, by which the existing regulations regarding the pasturing and impounding of cattle are revised, revised and amplified by the Local enactment of the 25th of October 1897.
- 3^o The Local Ordinance of the 2nd. of December 1892, containing measures for the preservation of public peace, order and safety.

Art. III.

Deze Keur treedt in werking tegelijk met het in art. I bedoelde Wetboek.

Aangezien naar het oordeel van den Raad van Politie dit een spoedvereischend geval is, zal deze keur worden afgekondigd in afwachting van eene beslissing van den Gouverneur.

Aldus gedaan door den Raad van Politie op Sint Martin N. G. in zijne vergadering van den achtsten Maart des jaars 1900 en achttien.

De Voorzitter,

A. J. C. BROUWER.

De tijd. Griffier,

WALTER NISBET.

En is hiervan afkondiging geschied waar het behoort op Zaterdag den negenden Maart 1900 en achttien.

De Gezaghebber,

A. J. C. BROUWER.

Zijnde deze keur ingevolge de artt. 130 en 132 van het Reglement op het beleid der regering, aan de bekrachtiging van den Gouverneur onderworpen.

A. J. C. BROUWER.

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